



May 22, 2008

Michael Delikat
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VIA FEDERAL EXPRESS

Honorable Charles L. Bricant
United States Courthouse
United States District Court
300 Quarropas St., Room 275
White Plains, NY 10601

Re: Anthony Curtis v. State Farm Mutual Automobile Insurance Co.,
06 CV12903; 07 CV 3232; 07 CV 8675

Dear Judge Bricant:

We write on behalf of Defendant State Farm Mutual Automobile Insurance Company, Inc. ("State Farm") in response to Plaintiff Anthony Curtis' motion, dated May 16, 2008, requesting an extension of time to object to an order issued by Magistrate Judge Smith in the above-referenced action. Because Plaintiff has not provided good cause for his failure to file his objections in a timely manner, and because Plaintiff's request is futile, his motion should be denied.

In a May 2, 2008 order, Magistrate Judge Smith denied Plaintiff's motion for referral to the pro bono panel of volunteer attorneys, stating that "[s]imilar applications have been denied in this case in the past, and there remains no basis for changing that decision." See Exhibit A (May 2, 2008 Order). Pursuant to Federal Rule of Civil Procedure 72(a), Plaintiff was allotted ten days to serve and file objections to the May 2, 2008 Order. See *Caidor v. Onondaga County*, 517 F.3d 601, 605 (2d Cir. 2008) ("a *pro se* litigant who fails to object timely to a magistrate's order on a non-dispositive matter waives the right to appellate review of that order").

Plaintiff now seeks an extension of time to file his objections. See Exhibit B (Plaintiff's Letter to the Court, dated May 16, 2008). However, Plaintiff makes no attempt to establish his entitlement to such an extension. See Fed. R. Civ. P. 6(b) (an extension will be granted upon a showing of "good cause"). Instead, Plaintiff rests his request solely upon his *pro se* status. Nevertheless, even *pro se* plaintiffs are generally required to inform themselves of procedural rules and comply with them. See *Caidor*, 517 F.3d at 605. In any event, Plaintiff's request for an extension is futile, as it cannot be said that Magistrate Judge Smith's Order was clearly erroneous or contrary to law. See 28 U.S.C. § 636(b)(1). State Farm therefore respectfully requests that Plaintiff's motion for an extension of time be denied.

Thank you for your attention to this matter.



O R R I C K

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Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

A handwritten signature in cursive script, reading "Michael Delikat".

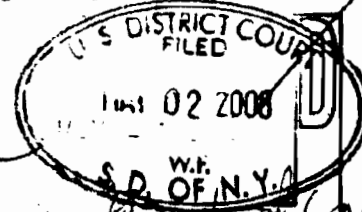
Michael Delikat

cc: Anthony Curtis (by Federal Express)

This letter is deemed to be a motion for referral to the pro bono panel of volunteer attorneys. Similar applications have been denied in this case in the past, and there remains no basis for changing that decision.

April 25, 2008

Honorable Lisa Margaret Smith
United States Magistrate Judge
Chief U.S. Magistrate Judge
United States District Court
300 Quarropas Street., Room 428
White Plains, New York 10601



Motion Denied SO ORDERED
Lisa Margaret Smith

Re: Anthony Curtis v. State Farm Mutual Automobile Insurance Co.:
06CV12903; 07 CV 3232 CV9675

Dear Magistrate Judge Smith:

WMT 5/1/08

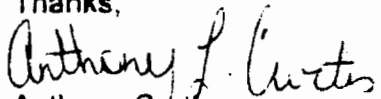
I would like to thank you for granting me time to seek counsel due to my disability. Unfortunately, I haven't been successful as yet. I've made every effort to do so, but I've received rejections mostly because of the cases has been in proceedings for some time. At this time, I would ask that you grant me an accomodation such as, the pro bono panel that will allow me to continue the proceedings that would not affect my disability. Below are the names of Attorneys and law firms I seeked help from.

Dutchess County Bar Association
Robert Lukow- Central NY Legal Services(for Traumatic Brain Injury)
Arnold Kronik-Attorney
Lucreatia Lucivero-Attorney
Susan Stockberger-Attorney
Micheal Sussman-Attorney
Paul Koker-Attorney
Independent Living Center
Disability Advocates Inc.
Micheal Kaplan-Attorney
Matthew Mazzamurro-Attorney
Volunteers of Legal Services
Micheal Spinac-Attorney
Daniel Clement-Attorney
New York Bar Association
Mitchell Spinac
Kevin Thiemann-Attorney

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S.D. OF N.Y.

New York State Brain Injury Association
Legal Services of the Hudson Valley
Robert Iseks-Attorney
MFY Legal Services
Workers Rights Law Center
New York Lawyers for the Public Interest
New York Legal Assistance Group
Daniel Kasser-Attorney
Debra Karpatkin-Attorney
Gregory Antollino-Attorney
Debra Shnear-Attorney
Malcolm Davis-Attorney
Elizabeth Shalet-Attorney
Ken Goldberg-Attorney
Rural Law Center of New York

Thanks,


Anthony Curtis

May 16, 2008

Honorable Charles L. Brieant
United States District Judge
United States District Court
300 Quarropas Street., Room 275
White Plains, New York 10601

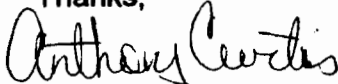
Re: Anthony Curtis v. State Farm Mutual Automobile Insurance Co.
06 CV12903; 07 CV3232; CV9675

Motion for an extension of time to object to Magistrate Judge Decision

Dear Judge Brieant,

I recently got a decision from Magistrate Judge Smith and I will like to appeal that decision to you. Currently, I have been in contact with Legal Services of New York and they are looking to possibly assist me in handling this appeal. Therefore, I would like to request an extension of the federal rules of ten days to appeal the decision of Magistrate Judge Smith . I would appreciate that you take into consideration that I'm a Pro Se litigant in this case and I thank you in advance for your consideration.

Thanks,


Anthony Curtis

Cc: United States Magistrate Judge Lisa Margaret Smith
Orrick Herrington & Sutcliffe- Micheal Delikat